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A NEPHEW OF DEWEY

On the Witness Stand in the Schley Court of Inquiry.

HIS VERSION OF DISPUTED FACTS.

Captain Lemley Will Not Be Able to Conclude the Government's Testimony Before the Middle of Next Week.

Washington, Oct. 11.—In the Schley court of inquiry Lieutenant J. H. Holden was re-introduced to continue his examination. Other witnesses were Captain Chadwick, who was Admiral Sampson's chief of staff during the war with Spain, Lieutenant Commander C. C. Marsh and Lieutenant E. L. Bennett, both of whom served on the flagship New York; Lieutenant Adelbert Tithouse of the Massachusetts, Lieutenant Francis Boughter of the Marblehead and Lieutenant William H. Reynolds, who was signal officer on board the Texas.

Captain Lemley supposed he would be able to conclude the presentation of the governments side of the case by the close of this week, but he finds he will still have several witnesses on his list when the court adjourns Saturday. In all probability he will consume the greater part of the first half of next week. Mr. Rayner estimates that the court will not be able to conclude its work before the middle of November.

Among the witnesses called for the purpose of correcting testimony was Admiral C. Taylor. While he was on the stand he was questioned as to whether he had received information that the Spaniards were coming out of the harbor at Santiago before they made their appearance the morning of July 3. The question was asked by Captain Lemley and the answer was: "None whatever."

Mr. Rayner: "You did not get a message from the Vixen in reference to smoke coming out of the harbor?" "None."

Captain Parker: "Your attention was not called to smoke?" "Not at all, sir."

"Do you remember anybody on your vessel who did observe smoke and reported it to you?" "I do not remember."

Captain Lemley read a report from Captain Merrill Miller, formerly of the Raleigh, concerning the accuracy of the stadimeter. This report was dated in 1895 and stated that the stadimeter had been found to give accurate results in measurements of less than 800 yards, but not so when the distance was greater. In one case, the writer noticed an error of 200 yards in a 1,600 yards measurement.

Lieutenant Adelbert Althouse, formerly watch and division officer on the battleship Massachusetts, was then called. He detailed the movements of that vessel in connection with the flying squadron. He said that at Cienfuegos the vessels lay six to 10 miles out at night, going nearer in the day time. Lieutenant Althouse said that the day of the bombardment of the Cristobal Colon he was in charge of the 8-inch turret of the Massachusetts. He said the ship had not been to exceed three minutes in passing the entrance to the harbor on the first passage and that only two shots were then fired. The instructions were to make the range 7,000 yards, but the shots fell short and the range increased on a return trip to 8,500 yards and then to 10,000 yards. Althouse was developed as to the strength of the land batteries by this reconnaissance he said to his mind it was shown they were very weak. In reply to questions as to whether he had made any notes concerning the engagement he replied: "No; we went in under instructions to sink the Colon." His orders had been to direct his fire at that vessel.

When Lieutenant Althouse was excused Captain Lemley introduced as evidence the reports made by Commodore Schley to the secretary of the navy of the engagement of May 31. In one of these dated June 3, Commodore Schley said: "Reconnaissance was intended principally to injure and destroy Colon. The fire was returned without delay by the heavy batteries to the east and to the west entrance, large calibre, long range; reconnaissance developing satisfactorily the presence of the Spanish squadron, lying behind island near inner fort as they fired over our hill at random. Quite satisfied the Spanish fleet is there."

Lieutenant P. G. Dewey, nephew of Admiral Dewey, who was a watch officer on the Massachusetts, was the next witness. He placed the distance of the blockade line under Commodore Schley from the mouth of Santiago harbor at from five to eight miles, the distance being about the same day and night. There was, he said, no particular formation of the vessels.

The examination at this point was as follows:

Captain Lemley: "When you were at the western end of the blockade with the leading vessel making the turn, what orders were there for attacking if you saw the enemy coming out of the entrance?" "I do not believe we could have seen the enemy coming out. There was no orders I have knowledge of."

"Why do you think you would not have seen the enemy coming out if such had been the case?" "Owing to darkness and the distance from the harbor. For instance when we were at the western end of the line the ships could have come out and stood to the eastward without our being any the wiser unless they showed lights."

"How about the reverse of that proposition?" "I think it would have been the same in either case."

Captain Lemley then asked: "Did you have any conversation with the commanding officer of the flying squadron or any one in his presence in relation to the fire on the Colon or otherwise?" "I was told shortly before we started in the entrance the commodore wished to see the turret officers in the pilot house. I went to the pilot house and the commodore said he intended to go in a few moments and have a 'try' at the Colon and that he hoped we would sink her. I asked what speed we would make and was told 'about 10 knots.' I remarked at the time that I thought that was giving us very little chance at the Colon as she would be in sight between the head lines only a couple of minutes and the smoke from the guns would probably make our fire very slow. To the best of my recollection the commodore stated that we would have to do the best we could; that the speed would be 10 knots. Describing the range at which he had fired his guns on that occasion he said at first it was 7,000 yards under orders and then he had increased it to 9,500 yards, but that all the shots fell short. He said in reply to questions that the Spanish shore batteries did not give the American ships much trouble on that occasion. "None from the Colon came near," he said, "but two or three shots from the batteries fell about the Massachusetts at the time, one passing over it."

"What conclusion did you arrive at as to the caliber of the shore guns?" "I did not think they were of very large caliber—not over 6-inch."

In reply to a question by the court as to whether he was ordered to direct his fire on the Colon or on the batteries May 31, Lieutenant Dewey said that his orders were to direct his fire at the Colon directly, but he would not say whether Commodore Schley or Captain Higginson had given the order.

Lieutenant Francis Boughter, who was watch and division officer on the Marblehead during Commodore Schley's blockade off Santiago, was then called. He said the Marblehead and the Vixen were on picket duty between the shore line and the line of the blockade, the Marblehead being stationed three miles from the shore and to the westward, six miles from the Morro. He would not attempt to say how far outside the squadron was, but he could not see the ships after nightfall.

The court asked: "When was the Marblehead in such position at night while on picket duty off Santiago that the enemy's ships could have been seen had they attempted to leave the harbor?" That would depend on a great many circumstances, the state of the weather, the course they took and their success in keeping their ships dark and quiet."

Admiral Dewey: "The Marblehead was on picket duty. Could she have seen the enemy coming?" "If the enemy kept close to shore and we were three miles off during most of the time we could not have seen them; if the enemy had been south from the entrance which would have placed the enemy four miles off, we could not have seen them, provided they kept reasonably dark and quiet."

Mr. Rayner: "What was the purpose of the picket boats being there if they could not see the enemy?" "They were supposed to be there, I presume, for that purpose."

"Then if they were there for that purpose what was it that would have prevented them from accomplishing this object?" "The fact that they could not see a vessel if it ran at a distance of from two to two and one-half miles off at night."

"How far was the Vixen from the shore?" "I do not know."

"What was the distance between your vessel and the Vixen?" "I cannot say."

"Are you prepared to say then that if the enemy had come out of there, neither you nor the Vixen could have seen him?" "I answered the question as put by the court that we on the Marblehead could not have seen the enemy coming out under the conditions I have named first by keeping close in under the land and secondly by steering due south from harbor."

"What sort of nights were there?" "I do not remember particularly. I do

not remember any gales or any particularly bad weather."

When Lieutenant Boughter was excused, Lieutenant Bennett, who was flag lieutenant on the New York in 1898, was called to the stand. After a few questions pertaining to the Cuban blockade, Captain Lemley said he had called Lieutenant Bennett not only for his direct examination, but for full cross-examination in accordance with the precept. Mr. Rayner stated, however, that he had no questions to ask, and the witness was excused, being succeeded by Lieutenant Charles Marshall, who was flag secretary to Admiral Sampson during the Spanish war.

Captain Chadwick testified concerning the code of signals arranged by Captain McCalla with the Cuban insurgents at Cienfuegos, of which he had said Captain McCalla had informed him upon his arrival at Key West May 19, 1898. He said he could not recall whom he had communicated the code, that he had not informed Commodore Schley, because Captain McCalla was to return immediately to Cienfuegos where Admiral Schley was stationed. Captain Chadwick recalled a conversation he heard between Admiral Sampson and Commodore Schley at Key West in which Commodore Schley told the admiral he was glad to be under his command and assured him that he would be entirely loyal to him. Captain Chadwick also said he heard Commodore Schley tell Admiral Sampson after the latter's arrival at Santiago that it was impossible to blockade the Spaniards at Santiago, if they desired to come out. Captain Chadwick said he objected to the telegram of congratulation Admiral Sampson sent Commodore Schley May 28, considering it uncalled for by the circumstances.

At 4 p. m., with Captain Chadwick still on the stand, court adjourned for the day.

COMMITTED GAIN'S CRIME.

Victim Was His Brother-in-Law Whose Wife He Coveted.

Chicago, Oct. 11.—George Dolinski, convicted of murdering his brother-in-law, was hanged here Friday.

The crime for which Dolinski paid the extreme penalty was the murder of his brother-in-law, Anton Lisle, a year ago. Dolinski became infatuated with Mrs. Lisle, who was his wife's sister. That his clandestine wooing might not be interfered with Dolinski sent his wife on a visit to her parents in the old country. Lisle, however, became suspicious. Nov. 27 the two men met in a pasture north of Irving park. When the police found Lisle's body there were four bullet wounds in it and the throat was cut. Dolinski was arrested, but declared he and Lisle had quarreled about money matters and that he had been compelled to shoot his brother-in-law in self-defense. The evidence against Dolinski, while merely circumstantial, was sufficient to convince the jury that murder had been done in order that Dolinski might marry Mrs. Lisle.

Meanwhile Mrs. Dolinski in Europe heard that her husband had been arrested, but the report also said that it was for her own murder. Supposing that she could get him out of his predicament by appearing and thus disproving the charge that he had killed her, Mrs. Dolinski, with her infant, hurried back across the Atlantic and arrived in Chicago only to discover the real state of affairs. She did not abandon her husband, however, but did all in her power to aid him. She visited him in jail and when she learned that the supreme court had refused to grant a supersedeas, she fell in a faint. Dolinski made his last confession to Father Rapoz and spent the night in a barber chair, alternately dozing and gazing at his image in a mirror.

President's Choice.

Washington, Oct. 11.—President Roosevelt has decided definitely to appoint Vice President Clayton of Columbia, S. C., collector of internal revenue for that state to fill the vacancy caused by the death of E. A. Webster. The announcement will create surprise as it was understood pretty generally that Levis Blalock had been selected for the place. Dr. Clayton was formerly postmaster at Columbia. He is an organization Republican. It is understood that the president shortly will appoint R. C. Stewart to be postmaster at Newberry, S. C. Mr. Stewart is said to be distantly related to President Roosevelt. President Roosevelt has directed the appointment of Dr. W. P. Wilson of Philadelphia commercial museum, as commercial attaché of the United States to the coming congress of American republics.

Neely on Trial.

Washington, Oct. 11.—The war department is informed that the trial of C. F. W. Neely on charges of misappropriation of postal funds in Cuba, is in progress. No law officer of the United States government is engaged in the case, although testimony and depositions taken in this country have been forwarded to the prosecuting officer in Havana.

INSURGENT VICTORIES.

Venezuelan Troops Said to Have Gone Over to the Revolutionists.

New York, Oct. 11.—Advices from Ciudad Bolivar, announce that the Venezuela revolutionists, commanded by General Geronimo Jivas, attacked and defeated the Venezuelan government troops under General Arostegui, near Barrancas, in the state of Bermudez, and that General Arostegui was taken prisoner. It is announced that the Venezuelan troops have joined arms with the revolutionists. Government troops from San Felix, commanded by General Africano, sustained a defeat near that town at the hands of the revolutionists under General Vidal. General Africano escaped to San Felix.

It is reported that the Colombian government bought several rapid fire guns here and shipped them south. Within the last week upwards of 200 cases labeled "fireworks," besides firearms, cartridges, dynamite and fuse has been shipped to Argentina, Brazil, Chile, Central America, Cuba, Ecuador, Mexico, Uruguay and Colombia. It is believed revolutionists in Venezuela and Colombia will get most of the "fireworks."

Chasing the Brigands.

Sofia, Oct. 11.—Three battalions of the Sixth Bulgarian infantry regiment marched through the country between Dubnitsa and Samakov and searched the villages of the Riloklosters district, in one of which it was reported the brigands had concealed Miss Stone. Colonel Geschof at the head of a searching party composed of 300 Bulgarian infantry and 500 dragoons is scouring the ranges of Dospat and the Rhodopegebirgen. The reputed leader of the gang who killed Stambouloff has met his fate. Suspected of being associated in the capture of Miss Stone he was shot dead on the frontier near Kostendit. Though £1,000 reward has been placed on the bandit's head for the murder of Stambouloff, Hallo, the name under which he was known, was too influential a ruffian for the Bulgarian police to arrest. Four additional brigands have been captured near the Tschepino and a band of 20, fully armed, was discovered near Dubnitsa and driven into the mountains again.

Dumont's Flying Machine.

Paris, Oct. 11.—M. Santos-Dumont, having completed the repairs to his balloon, the Santos-Dumont, in spite of unfavorable predictions based on a sudden rise of the barometer, decided to start against the wind and maneuver around Longchamp race course. When the signal to start was given Dumont shot off like an arrow and in spite of a contrary wind, reached Longchamp at a speed impossible to estimate in the actual state of aeronautic science, but certainly as fast as a rapid automobile travels. For more than an hour the balloon maneuvered in all directions about the race course, with perfect docility in the presence of numerous spectators. Dumont made another attempt Friday to win the Deutsche prize, but owing to an accident to the rudder of his flying machine, he was obliged to return to the starting place after going 50 yards.

HAS HAD FIVE HUSBANDS.

Only One of Mrs. Witwer's Liege Lords Living—Whereabouts Unknown.

Middletown, O., Oct. 11.—The fact has just been developed that Mrs. Mary Belle Witwer, the suspected wholesale poisoner, has had five husbands instead of four. John Williams, whose name has not heretofore figured in the sensational affair, left two days after the ceremony was performed and is the only one of the five husbands living. His present whereabouts is unknown. Mrs. Witwer secured a divorce on money furnished by Frank Brown, the Middletown paper hanger, who died rather suddenly some time after his marriage to Mrs. Witwer. The story comes from a son of Mr. Brown.

Water Supply For Mexico.

New York, Oct. 11.—A New York syndicate of capitalists is said to have acquired the concession granted some years ago to William Mackenzie, formerly traffic manager of the Mexican Gulf and Monterey railroad, for the purpose of bringing a new water supply to the city of Mexico. Warren H. Loss of this city has been awarded the contract for carrying out the undertaking which, it is estimated, will entail an expenditure of nearly \$6,000,000 American currency and will mean the purchase, it is said, of no less than 35,000 tons of material in the United States.

Unsatisfactory News.

Washington, Oct. 11.—The state department has heard again by cable from Unfiled States Consul General Dickenson and Secretary of Legation Spencer Eddy touching the progress of negotiations looking to the release of Miss Stone. None of the details was made public, however, and all that can be gathered as to the status of the case is that the conditions are by no means as reassuring as were expected.

MASON WILL BE GOOD

Assures the President He Will Not Fight the Canal Treaty.

VISITORS AT THE WHITE HOUSE.

Attorney General Knox Advises President and Cabinet There Is No Law to Prevent Home Company Landing Cable on U.S. Shores.

Washington, Oct. 11.—There were few callers at the White House Friday before the cabinet assembled at 11 o'clock. Acting Secretary Adey presented the Colombian minister and General Rafael Reyes, formerly Colombian minister to France, now vice president of the republic. The latter spoke briefly to the president of the importance of the approaching Pan-American congress at City of Mexico, in which he said he thought the United States would be the guiding spirit. Senator Mason of Illinois, who returned to his home Friday, called to assure the president the report that he intended to fight the new canal treaty was entirely erroneous. To the president, Senator Mason expressed the hope that the new treaty would be satisfactory.

Among other callers were the Peruvian minister, who was received in the blue parlor; General Dyrenforth, commander-in-chief of the Union Veteran Union, who invited the president to attend the grand encampment of the organization which will be held at Chicago Oct. 22-25. The president said he should be glad to attend, but called attention to the fact that his previous engagement at Yale college, where he receives the degree of LL. D. Oct. 23, probably would make it impossible for him to be present.

Five members of the cabinet, Secretary Long, Secretary Hitchcock, Secretary Wilson, Attorney General Knox and postmaster General Smith, were present at the cabinet meeting, which was devoted largely to the consideration of appointments under the various departments. The questions of southern appointments generally came up again, and the president reiterated his policy of appointing Republicans if suitable men as applicants could be found, and if not, of appointing gold Democrats. His policy in this respect meets the approval of the cabinet. The appointment of Dr. Clayton to the collectorship of internal revenue in South Carolina was considered in this connection.

Attorney General Knox made a verbal report to the president and cabinet regarding the result of his investigation into the Pacific cable question. His conclusion was that under the law of 1866 any domestic company could land any cable on the shores of the United States or its possessions. The president and cabinet were convinced by the verbal report that no executive action is called for at this time. The president will go over the subject more in detail with the attorney general, and will review the whole question in his message to congress. The law of 1866 is the same law under which the Postal Telegraph company claimed it had the power to land a cable at Havana, but the claim was disregarded at the time by the secretary of war.

Kansas Twister.

Clifton, Kan., Oct. 11.—The tornado which struck this section followed a heavy storm of rain and hail. The big black cloud could be seen approaching the town and the fire bells were rung to warn the inhabitants. The town was saved, however, by the tornado passing two miles to the west, traveling in a northeasterly direction. A committee of citizens drove at once to the path of the storm. L. C. Hoar's house and outbuildings, two miles west were found entirely swept away. The family had escaped by taking refuge in the cellar. The path of the tornado was from 40 to 80 rods wide and swept everything clear before it.

Money Missing.

Buffalo, Oct. 11.—A month ago the sum of \$5,200, receipts of the Buffalo customs house was stolen, evidently while in transit from Buffalo to the sub-treasury in New York. The consignment of money as sent from Buffalo contained, according to Cashier Boyesen, \$8,200. Of this sum \$7,700 was in paper and the rest in gold and silver. The money stolen was all in paper currency. The discovery of the theft was made at New York. Collector Breck said he thought the thieves were known and that their arrest was but a matter of a short time.

West Virginia Mine Horror.

Wheeling, Oct. 11.—By an explosion in the New England mine, near Fairmount, it is believed the loss of life may be 25. The explosion occurred in a head in which 25 or 30 miners were working. It is known none can be alive because the bodies of four mules nearer the entrance have been taken out. The explosion was caused by a miner discharging a blast.